

## **§ 29.1110**

### **§ 29.1110 Rule 4.**

All standard grades must be clean unless otherwise noted by a special factor.

### **§ 29.1111 Rule 5.**

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

### **§ 29.1112 Rule 6.**

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

### **§ 29.1113 Rule 7.**

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

### **§ 29.1114 Rule 8.**

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

### **§ 29.1115 Rule 9.**

The use of any grade may be restricted by the Director during any marketing season when it is found that the grade is not needed or appears in insufficient volume to justify its use.

### **§ 29.1116 Rule 10.**

Any special factor approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

[42 FR 21092, Apr. 25, 1977, as amended at 49 FR 16756, Apr. 20, 1984]

### **§ 29.1117 Rule 11.**

Interpretations, the use of specifications, and the meaning of terms shall

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be in accordance with determinations or clarifications made by the Chief of the Marketing Programs Branch and approved by the Director.

### **§ 29.1118 Rule 12.**

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

### **§ 29.1119 Rule 13.**

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. (These percentages shall not affect limitations established by other rules.) The minor portion must be closely related, but may be of a different group, quality, and color from the major portion.

### **§ 29.1120 Rule 14.**

The application of injury tolerance as an element of quality shall be expressed in terms of a percentage. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.

### **§ 29.1121 Rule 15.**

Any lot of tobacco containing 20 percent or more of variegated tobacco other than variegated red or scorched shall be described as variegated and designated by the color symbol "K," "KL," "KF," "KD," or "KV."

[42 FR 21092, Apr. 25, 1977, as amended at 48 FR 29671, June 28, 1983]

### **§ 29.1122 Rule 16.**

Any lot of ripe tobacco which contains 20 percent or more of variegated red or scorched tobacco shall be designated by the color symbol "KR." Any lot of unripe tobacco which is under 20 percent greenish or green but which contains 20 percent or more of scorched tobacco, or any lot of tobacco which contains 20 percent or more of a color distinctly different from the major color shall be classified as mixed color and designated by the color symbol

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“KM”. Any lot of unripe tobacco in the C, or B groups which is under 20 percent greenish or green but which contains 50 percent or more of scorched tobacco shall be classified as excessively scorched and designated by the combination symbol “KK”.

[42 FR 21092, Apr. 25, 1977, as amended at 51 FR 25028, July 10, 1986]

### § 29.1123 Rule 17.

Any lot of lemon, or orange colored tobacco containing over 20 percent of slick tobacco shall be designated by the symbol “S” in the X, C, or B groups.

### § 29.1124 Rule 18.

Any lot of mature tobacco in lemon or orange color containing 20 percent or more of greenish tobacco, or any lot which is not green but which contains 20 percent or more of greenish and green tobacco combined shall be designated by the color symbol “V.”

### § 29.1125 Rule 19.

Any lot of tobacco containing 20 percent or more of green tobacco, or any lot which is not crude but contains 20 percent or more of green and crude combined shall be designated by the color symbols “G,” “GR,” “GK,” “GG,” or the combination symbols “GL,” or “GF.”

### § 29.1126 Rule 20.

Crude tobacco shall not be included in any grade of any color except green, green red, green variegated, gray green, or the combination symbols “GL,” or “GF” in the nondescript group. Any lot containing 20 percent or more of crude tobacco shall be classified as nondescript.

### § 29.1127 Rule 21.

Damaged tobacco which otherwise meets the specifications of a grade shall be treated as a special factor grade by placing the special factor “U” after the grademark.

### § 29.1128 Rule 22.

Sound tobacco that is wet or in doubtful-keeping order but which otherwise meets the specifications of a grade shall be treated as a special fac-

tor grade by placing the special factor “W” after the grademark.

### § 29.1129 Rule 23.

Tobacco shall be designated by the grademark “No-G,” when it is offtype, semicured, fire-killed, smoked, oxidized over 10 percent, has an odor foreign to the type, or is packed in bales which are not approximately 42 inches wide × 42 inches high × 40 inches long.

[65 FR 46086, July 27, 2000]

### § 29.1130 Rule 24.

Tobacco shall be designated by the grademark, “No-G-F,” when it contains stalks, suckers, or foreign matter such as straw, strings, rubber bands, grass, weeds, or an excessive amount of dirt or sand.

### § 29.1131 Rule 25.

Any lot of tobacco containing 10 percent or less of oxidized tobacco, except as provided in rule 12, shall be designated by the combination symbols “PO,” “XO,” or “BO.” Crude or green tobacco containing 10 percent or less of oxidized shall be grade “N2.”

### § 29.1132 Rule 26.

Tobacco that contains a moderate amount of dirt or sand, but which otherwise meets the specifications of any Primings grade, including the first quality Nondescript from the Primings group, shall be designated by placing the special factor, “dirt” or “sand” after the grademark.

### § 29.1133 Rule 27.

Tobacco in Types 11-14 shall be designated by the grademark “No-G-Nested” when it is nested.

[47 FR 51721, Nov. 17, 1982, as amended at 49 FR 16756, Apr. 20, 1984]

### § 29.1134 Rule 28.

Tobacco in strip form which otherwise meets the specifications of a grade shall be treated as a special factor grade by placing the special factor “S” preceding the grademark.

[49 FR 16756, Apr. 20, 1984]